UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,909	05/24/2001	Limor Schweitzer	XACTP007	5327

28875 7590 09/23/2004

Zilka-Kotab, PC
P.O. BOX 721120
SAN JOSE, CA 95172-1120

EXAMINER	
NGUYEN, HAI V	

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/865,909	SCHWEITZER, LIMOR
	Examiner	Art Unit
	Hai V. Nguyen	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 24 May 2001 .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-23 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 07/27/01 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This Office Action is in response to the application filed on 24 May 2001.

2. Claims 1-23 are presented for examination.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 10-18 are rejected under 35 U.S.C. 101 because the claims recite "the computer program product comprising computer code" is NOT equivalent to the computer readable medium. The computer program product is the product pro se.

5. Claims 19, 23 are rejected under 35 U.S.C. 101 because the claimed invention is non-functional descriptive material and is directed to non-statutory subject matter. Claims 19, 23 describe the "logic" element, and the "data structure comprising a data object", which when read in light of specification amounts to nothing more than computer software void of a computer readable medium. The data structure comprising a data object is the data structure per se. See MPEP 2106(IV)(B)(1).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: "loading **event**

handlers with the code included with the configuration data". It is unclear to one of ordinary skill in the networking art whether how the "event handlers" are determined and loaded.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-23 rejected under 35 U.S.C. 103(a) as being unpatentable over **Adams** et al. U.S patent no. **5,778,350** in view of **Williams** et al. U.S. patent no. **6,032,147**.

10. As to claim 1, Adams discloses a method for handling network accounting information, comprising:

(a) receiving records indicative of network events from an input source *(Adams, Fig. 1, input data 16) (Adams, col. 2, lines 45-55)*; However, Adams does not explicitly disclose (b) selecting action events based on the input source. Therefore, the artisan would have been motivated to look into the related networking management art for potential methods and apparatus for implementing the selecting action events based on the input source.

In the same filed of endeavor, Williams discloses (e.g., network record conversion device) the selecting action events *(recognizing when not to convert a particular field or an entire record, (William, col. 10, lines 45-65))* based on the input record. William also discloses whereby streams of records from either of said at least two record generating

devices may be selectively directed to either or both of said at least two output host devices. *(Williams, claim 19).*

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Williams teachings of the *selecting the options to convert a particular field or entire record (Williams, col. 10, lines 45-65)* with the teachings of Adams, for the purpose of *avoiding duplicate processing of data or item records (Adams, col. 8, lines 42-43; col. 10, lines 1-5)*; and Williams also suggests that the processing and apparatus should be implemented into virtually any preexisting data record collecting system and data processing system *(Williams, col. 8, lines 30-35).*

Adams-Williams discloses (c) executing the selected action events on the records *(Williams, When the data conversions are complete, an input side transaction processor executes a move signal which transfers the converted record to the appropriate output side transaction processor that issues a connection request to the output host device and subsequently transmits the converted transaction record thereto, (col. 12, lines 25-34)).*

11. As to claim 2, Adams-Williams discloses, wherein the action events include computer code for executing a process *(Williams, "no conversion" option process)* using the records *(Williams, col. 10, lines 45-65).*

12. As to claim 3, Adams-Williams discloses, further comprising the step of compiling the computer code prior to the execution thereof *(Williams, col. 10, lines 45-65).*

13. As to claim 4, Adams-Williams discloses, further comprising the step of storing data associated with the records *(Williams also teaches that the conversion device preferably operates in real-time and preferably includes a first storage device for temporary storage of records during conversion and a library of conversion rules for converting data records from one or more input formats into the universal format and from the universal format into one or more output formats, (Abstract; col. 3, lines 41-47; col. 6, lines 9-11))*.

14. As to claim 5, Adams-Williams discloses, wherein the data is stored in a table *(Adams, col. 4, RECNAME table)*.

15. As to claim 6, Adams-Williams discloses, wherein the table includes a plurality of rows each containing a plurality of columns each including data of a different type *(Adams, col. 4, RECNAME table; each subtask processes one type of data, and multiple types of data may be processed in this multi-tasking environment by executing only one job. Input files of the same type of data may be concatenated together for processing by the same subtask (Adams, col. 13, lines 7-21)*.

16. As to claim 7, Adams-Williams discloses, wherein the data of each of the rows expires after a predetermined time period *(Adams, col. 4, RECNAME table; The process flow then determines how to read the input data records by ascertaining which software and release version was used to generate the data by consulting the RELEASE, SOFTWARE, SOFTREL, CICREGN, and CICVTREL tables, as shown in block 100. Subsequently a record is read as shown in block 102. If the record is to be skipped, as determined by consulting the RECNAME table, a SKIPREC formula in the*

execution parameters, and/or some other sources, the current record is skipped, as shown in blocks 104 and 105. Otherwise, the record is then checked against the RECNAME table and/or a VALIDREC formula in block 106 to determine whether it is a valid record. The record is skipped if it is invalid. The record time stamp is then determined, as shown in block 108. If the time stamp is not valid, as determined in block 110, the record is either marked as invalid for later processing by some other means of error management method, as shown in block 111. Input records that cannot be processed may be written to an output file for later processing. The CHKPTRET column from the RECNAME table is used to determine if the data is too old to process in block 112. The CHKPTRET column defines the number of days that row entries in the CHKPTSUM table are kept before they are deleted. The age of the record is determined by subtracting the record time stamp from the current date and time. If the record age is greater than the CHKPTRET value, the record is defined as too old to process, although mechanisms may be provided to force processing, if desired. If a force parameter is present to force processing, process flow continues to block 114. Otherwise, the record is treated as invalid (col. 13, line 48 – col. 14, line 25)).

17. As to claim 8, Adams-Williams discloses, wherein an action event is executed to determine whether the data of each of the rows is deleted upon expiring *(Adams, col. 13, line 48 – col. 14, line 25).*

18. As to claim 9, Adams-Williams discloses, wherein multiple action events are executed in parallel *(Williams, This approach allows the independent tasks to be*

performed concurrently and speeds the overall execution time, col. 13, line 62 – col. 14, line 8).

19. Claim 10 is corresponding computer program product claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

20. Claims 11-18 are similar limitations of claims 2-9; therefore, they are rejected under the same rationale as in claims 2-9.

21. Claim 19 is system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

22. As to claim 20, Adams-Williams discloses a method for handling network accounting information, comprising:

(a) receiving records indicative of network events from an input source *(Adams, col. 2, lines 45-55)*;

(b) storing data associated with the records in a table, wherein the table includes a plurality of rows each containing a plurality of columns each including data of a different type, the data of each of the rows expiring after a predetermined time period *(Williams, Abstract; col. 3, lines 41-47; col. 6, lines 9-11); (Adams, col. 4, RECNAME table)*;

(c) selecting action events based on the input source *(William, col. 10, lines 45-65; claim 19)*; and

(d) executing the selected action events on the records (*Williams, When the data conversions are complete, an input side transaction processor executes a move signal which transfers the converted record to the appropriate output side transaction*

processor that issues a connection request to the output host device and subsequently transmits the converted transaction record thereto, (col. 12, lines 25-34));

(e) wherein at least one of the action events is executed to delete the data of each of the rows upon expiring *(Adams, col. 13, line 48 – col. 14, line 25)*.

23. As to claim 21, Adams-Williams discloses a method for handling network accounting information of any type, comprising:

(a) reading configuration data which defines a table by specifying at least one field identifier and a timeout type and period, the configuration data further defining a plurality of input sources by specifying at least one parameter for each input source, the configuration data further defining a plurality of action events by specifying code capable of executing each action event *(Adams, Abstract, col. 1, line 53 – col. 2, line 7; Williams, Abstract, col. 2, line 40 – col. 3, line 57)*;

(b) creating the table defined by the field identifier of the configuration data *(Adams, col. 4, RECNAME table)*;

(c) initializing the input sources *(Adams, Abstract, col. 1, line 53 – col. 2, line 7; Williams, Abstract, col. 2, line 40 – col. 3, line 57)*;

(d) loading event handlers with the code included with the configuration data *(Adams, Abstract, col. 1, line 53 – col. 2, line 7; Williams, Abstract, col. 2, line 40 – col. 3, line 57)*;

(e) receiving records indicative of network events from the initialized input sources *(Adams, Abstract, col. 1, line 53 – col. 2, line 7; Williams, Abstract, col. 2, line 40 – col. 3, line 57)*;

(f) storing the records in the table *(Adams, Abstract, col. 1, line 53 – col. 2, line 7; Williams, Abstract, col. 2, line 40 – col. 3, line 57)*;

(g) selecting action events based on the input source associated with the received records *(William, col. 10, lines 45-65; claim 19)*;

(h) executing the selected action events on the records utilizing the event handlers *(Williams, col. 12, lines 25-34)*; and

(i) deleting the records upon expiring in accordance with the timeout type and period of the configuration data *(Adams, col. 13, line 48 – col. 14, line 25)*;

(j) wherein at least one of the action events is executed to determine whether the data of each of the rows is deleted upon expiring *(Adams, col. 13, line 48 – col. 14, line 25)*.

24. As to claim 22, Adams-Williams discloses, wherein the execution of the selected action events includes: discarding records stored during the execution of previous action events, parsing the configuration data associated with the selected action events, and utilizing the parsed configuration data to repeat steps (b) through (d) *(Adams, The formula is written in a formula language interpreted and evaluated at execution time. Because the formulas are stored in the OUTCOL table, the source code need not be modified or recompiled when changes in the formulas are desired. The formulas may yield boolean values or numerical values. For example, some formulas resolve to true or false to aid in processing decisions within collector 20. Other formulas return calculated values to be stored in output tables. Arithmetic operations such as addition, subtraction, multiplication, division, and exponentiation are provided. Bit string operations such as logical AND, OR, and concatenation are also available. There are*

also other formulas that can be used to generate pseudo logical system identifier (LSYSID), (col. 7, line 40 col. 8, line 29); Williams, col. 8, lines 21-32).

25. As to claim 23, Adams-Williams discloses a data structure for handling network accounting information of any type, comprising:

(a) a configuration data object which defines a table *(Adams, col. 4, RECNAME table)* by specifying at least one field identifier and a timeout type and period, the configuration data object further defining a plurality of input sources by specifying at least one parameter for each input source, the configuration data object further defining a plurality of action events by specifying code capable of executing each action event *(Adams, (col. 13, line 48 – col. 14, line 25; Williams, col. 10, lines 45-65);*

(b) wherein the configuration data object is adapted for being used to create the table defined by the field identifier of the configuration data object, initialize the input sources, and load event handlers with the code included with the configuration data object *(Adams, (col. 13, line 48 – col. 14, line 25; Williams, col. 10, lines 45-65).*

26. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142

JACK B. HARVEY
SUPERVISORY PATENT EXAMINER